

1 STEVEN A. GIBSON
2 steven.gibson@cox.net

3 *NON-PARTY, IN PRO PER*

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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

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9 Righthaven LLC, a Nevada limited-liability
10 company,

11 Plaintiff,

12 vs.

13 THOMAS A. DIBIASE, an individual,

14 Defendant.

15 THOMAS A. DIBIASE, an individual,
16 Counterclaimant,

17 vs.

18 Righthaven LLC, a Nevada limited-liability
19 company,

20 Counter-defendant.

21 Case No.: 2:10-CV-01343-RLH-PAL

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23 **DECLARATION OF NON-PARTY**
STEVEN A. GIBSON IN SUPPORT OF
RESPONSE TO DEFENDANT THOMAS
A. DIBIASE'S [PROPOSED] ORDER
FINDING RIGHHAVEN IN CONTEMPT
OF COURT AND IMPOSING
SANCTIONS

24 I, Steven A. Gibson, hereby declare on this 26th day of March, 2012, under pains and
25 penalties of perjury as follows:

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1. I am Chief Executive Officer (“CEO”) of Righthaven LLC (“Righthaven”).
2. I am not legal counsel of Righthaven.
3. While I am an attorney at law, I am not counsel of record in Righthaven LLC v. Dibiase.
4. I was not served with the Minute Order (Docket #101).

- 1 5. I was notified by Shawn Mangano ("Mangano") of the agreement reached that
- 2 apparently resulted in the Minute Order (Docket #101) and Mangano's intent to
- 3 comply with said agreement, but that was effectively the last communication I
- 4 received from Mangano as legal counsel.
- 5 6. I have attempted to contact by telephone, electronic mail and U.S. Mail Mangano
- 6 since the aforesaid last communication with no response.
- 7 7. I have, as CEO of Righthaven, at all times instructed Mangano to fully comply
- 8 with all court orders to the best of Righthaven's ability.
- 9 8. Righthaven has always timely fulfilled all payment obligations to Mangano.
- 10 9. Righthaven only ceased payments to Mangano when Mangano refused to
- 11 communicate with Righthaven.
- 12 10. Righthaven currently has no revenues.
- 13 11. I only received notice of the Proposed Order on March 26, 2012 indirectly and
- 14 through no course of diligence or performance as legal counsel.
- 15 12. No Righthaven officer has assumed professional, legal responsibility for
- 16 reviewing any legal activities that might be occurring with respect to Righthaven.
- 17 13. While random electronic notices residually may appear through my or my legal
- 18 assistant's CM/ECF notice on certain Righthaven cases, they are not complete,
- 19 and I do not exercise lawyerly review of any or all of them as I am not legally
- 20 capable of addressing same and have relied on legal counsel to address same.
- 21 14. I never received actual notice of the Order to Show Cause but I was aware of an
- 22 upcoming order that may have addressed Mangano's failure to act but understood
- 23 that, as is now clear, I was powerless as non-legal counsel to address.

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1 15. I do not possess nor have access to the transcript that is the subject of the
2 Proposed Order.

3 Signed under the pains and penalties of perjury in the United States of America and the
4 State of Nevada, March 26, 2012.

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6 By: /s/ Steven A. Gibson

7 STEVEN A. GIBSON
8 *NON-PARTY, IN PRO PER*

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CERTIFICATE OF SERVICE

Pursuant to Local Rule 5 of this Court, I certify that on this 26th day of March, 2012, I caused a correct copy of the foregoing **DECLARATION OF NON-PARTY STEVEN A. GIBSON IN SUPPORT OF RESPONSE TO DEFENDANT THOMAS A. DIBIASE'S [PROPOSED] ORDER FINDING RIGHHAVEN IN CONTEMPT OF COURT AND IMPOSING SANCTIONS** to be served via CM/ECF to:

Colleen Bal, Esq.
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Shawn A. Mangano, Esq.
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Chad A. Bowers, Esq.
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Steven A. Gibson